

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FREE SPEECH COALITION, INC., et al.)	CASE NO. 2:09-4607
)	
Plaintiffs,)	JUDGE MICHAEL M. BAYLSON
)	
-vs-)	
)	<u>PLAINTIFFS' UNCONTESTED MOTION</u>
THE HONORABLE ERIC H. HOLDER, JR.,)	<u>FOR EXTENSION OF TIME TO FILE A</u>
Attorney General,)	<u>BRIEF IN RESPONSE TO DEFENDANT'S</u>
)	<u>MOTION TO DISMISS IN PART, TO AND</u>
Defendant.)	<u>INCLUDING SEPTEMBER 14, 2012</u>

On August 20, 2012, Defendant filed a Motion to Dismiss in Part. (Doc. No. 92). Plaintiffs' brief in response is due on September 6, 2012. Plaintiffs, through undersigned counsel, hereby respectfully request an extension of eight days to and including September 14, 2012 to file a brief in response to Defendant's Motion to Dismiss in Part.

Plaintiffs' counsel's schedules necessitate this request for a brief extension of time. Lorraine R. Baumgardner was out of the office during the week of August 20, 2012 moving two of her children into out-of-state schools when Defendant's motion was filed. J. Michael Murray was required to be away from the office during the subsequent week (August 28, 2012) for, among other things, an expert deposition in California in another federal matter. *Annex Books, Inc. v. City of Indianapolis*, Case No. 03-cv-918-SEB-TAB (U.S. Dist. Ct., S.D. Ind.). These absences in addition to the press of other matters and deadlines have prompted counsel to request an extension of eight days to and including September 14, 2012, to file a brief in response to Defendant's Motion to Dismiss in Part. This motion is made in good faith and not for purposes of delay.

Defendant's counsel has indicated she has no objection to this extension, conditioned upon Plaintiffs' counsel's agreement that Defendant be given to and including October 5, 2012 to file a reply brief. Plaintiffs have no objection to this extension of time to file Defendant's reply brief.

Plaintiffs, therefore, respectfully request that this Court grant Plaintiffs an extension of eight days, to and including September 14, 2012 to file a brief in response to Defendant's Motion to Dismiss in Part.

Respectfully submitted,

Date: August 29, 2012

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**CERTIFICATION OF COUNSEL PURSUANT TO RULE 7.1(b), LOCAL RULES OF
THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
PENNSYLVANIA**

Defendant's counsel does not contest the foregoing motion, conditioned upon Plaintiffs' counsel's agreement that Defendant be given to and including October 5, 2012 to file a reply brief. Plaintiffs have no objection to this extension.

/s/ Lorraine R. Baumgardner
One of the Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on August 29, 2012, the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Lorraine R. Baumgardner
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